

AMERICAN ARBITRATION ASSOCIATION

(Hereafter "AAA")

Case No: 30 190 00847 06

**United States Anti-Doping Agency,**

Claimant,

and

**Floyd Landis,**

Respondent

PROCEDURAL ORDER No 4  
CONCERNING WITNESS TESTIMONY

In its communication dated March 23, 2007, the Panel in this case requested from the parties a proposed Procedural Order on witnesses which will cover the procedure at the hearing, including the ways of providing testimony (live, conference call/video, etc.). Parties reached an agreement on all the points of the proposed Procedural Order, except on the matter of the physical presence of some of the witnesses at the hearing. Having considered the submissions of the parties, the Panel HEREBY ORDERS AS FOLLOWS:

**OATH**

1. All witnesses presenting evidence at the Arbitration Hearing shall first give an oath to tell the truth pursuant to the laws of the State of California.

**MANNER OF PROVIDING TESTIMONY**

2. In its Interlocutory Award, par. 30, the Panel stated as follows: "USADA has indicated that it will be calling as witnesses various lab technicians. They have also indicated that if they do not intend to call a person they will make them available at the arbitration if required for cross-examination by the Respondent." On or before April 25, 2007, Respondent shall identify to USADA and the Panel those lab technicians who he requests be made available at the arbitration. Claimant USADA shall ensure that those lab technicians / director so designated shall be present at the arbitration in Malibu, California, to testify, being:

a) Jacques de Ceaurriz

- b) Cynthia Mongongu
- c) Esther Cerpolini
- d) Ruddy Barlagne
- e) Claire Frelat
- f) A. Gaillard

3. Except as provided in paragraph 2 above, the parties' witness summaries and supplemental witness designations (due on May 4, 2007 and May 8, 2007, respectively) shall specify whether the witness will testify in person at the arbitration, by video conference, or by teleconference. The parties shall be responsible to make whatever arrangements are necessary for those witnesses who will testify by video conference or by teleconference.

DATED this 24<sup>th</sup> DAY OF APRIL, 2007.

For the Panel

IN \_\_\_\_\_

(signed) \_\_\_\_\_  
 Patrice M. Brunet, Esq.  
 Chairman

IN \_\_\_\_\_

(signed) \_\_\_\_\_  
 Prof. Richard H. McLaren, Arb., Esq.

IN \_\_\_\_\_

(signed) \_\_\_\_\_  
 Christopher L. Campbell, Esq.